

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

JUL - 5 2006

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FILED  
CLERK'S OFFICE

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**DOCKET NO. 1657**

***BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION***

***IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY  
LITIGATION***

***(SEE ATTACHED SCHEDULE) 4:06CV3140***

***CONDITIONAL TRANSFER ORDER (CTO-56)***

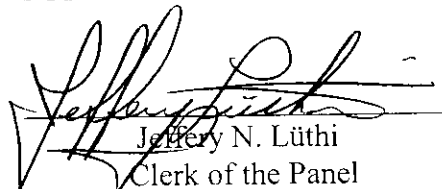
On February 16, 2005, the Panel transferred 138 civil actions to the United States District Court for the Eastern District of Louisiana for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 360 F.Supp.2d 1352 (J.P.M.L. 2005). Since that time, 3,987 additional actions have been transferred to the Eastern District of Louisiana. With the consent of that court, all such actions have been assigned to the Honorable Eldon E. Fallon.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Louisiana and assigned to Judge Fallon.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Louisiana for the reasons stated in the Panel's order of February 16, 2005, and, with the consent of that court, assigned to the Honorable Eldon E. Fallon.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Louisiana. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

  
Jeffrey N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-56 - TAG-ALONG ACTIONS**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE ALM 3 06-476	Rosemary Leverett, etc. v. Merck & Co., Inc., et al.
ALABAMA NORTHERN ALN 2 06-1180	Clinton Gene Kelley v. Merck & Co., Inc.
ARIZONA AZ 2 06-1469	Sultan Rahim Strong, etc. v. Merck & Co., Inc., et al.
CALIFORNIA CENTRAL CAC 2 06-3379 CAC 2 06-3380	Ann A Baumgartner, et al. v. Merck & Co., Inc. Stephen R. Bajon, et al. v. Merck & Co., Inc.
CALIFORNIA EASTERN CAE 2 06-1294 CAE 2 06-1313	Michael Neaderhiser v. Merck & Co., Inc., et al. Lino Laolagi, et al. v. Merck & Co., Inc.
FLORIDA MIDDLE FLM 3 06-510 FLM 3 06-529 FLM 3 06-550 FLM 8 06-1064 FLM 8 06-1115	Mary Kilis, etc. v. Merck & Co., Inc. Janis Roberts v. Merck & Co., Inc. James Mollenhour v. Merck & Co., Inc., et al. Kada Kahric v. Merck & Co., Inc. Fay Virginia Perttunen, etc. v. Merck & Co., Inc.
FLORIDA SOUTHERN FLS 0 06-60849 FLS 1 06-21425 FLS 1 06-21470 FLS 9 06-80545	Gloria Lopez v. Merck & Co., Inc. Nellie Granger, etc. v. Merck & Co., Inc. Beatrice Tinsley v. Merck & Co., Inc. Milton Elliot v. Merck & Co., Inc., et al.
GEORGIA NORTHERN GAN 1 06-1428	Mary Louise Gollus v. Merck & Co., Inc.
IDAHO ID 1 06-230 ID 2 06-225	June Joos, et al. v. Merck & Co., Inc. Mary Ann Pierce v. Merck & Co., Inc.
ILLINOIS SOUTHERN ILS 3 06-430 ILS 3 06-462 ILS 3 06-463 ILS 3 06-465	Coy Nunn, et al. v. Merck & Co., Inc., et al. Ruthie Young, et al. v. Merck & Co., Inc., et al. Jeanne Haefner v. Merck & Co., Inc. Demetrius Hardaway, et al. v. Merck & Co., Inc., et al.

## SCHEDULE CTO-56 TAG-ALONG ACTIONS (MDL-1657)

DIST. DIV. C.A. #CASE CAPTIONINDIANA SOUTHERN  
INS 1 06-842

Virginia Rexroat, et al. v. Merck &amp; Co., Inc.

KANSAS  
KS 2 06-2233

David Christie v. Merck &amp; Co., Inc.

KENTUCKY EASTERN  
KYE 0 06-96

Anna Louise Curls v. Merck &amp; Co., Inc.

LOUISIANA WESTERN  
LAW 5 06-1003

Randy Brazzel v. Merck &amp; Co., Inc.

MARYLAND  
MD 1 06-1575  
MD 1 06-1578Guy E. Gaston v. Merck & Co., Inc.  
Charles N. Burgess, et al. v. Merck & Co., Inc.MINNESOTA  
MN 0 06-2378  
MN 0 06-2449  
MN 0 06-2450  
MN 0 06-2451  
MN 0 06-2452  
MN 0 06-2453  
MN 0 06-2454  
MN 0 06-2455  
MN 0 06-2457  
MN 0 06-2499James R. Topp, Jr., et al. v. Merck & Co., Inc.  
John V. Crimmins v. Merck & Co., Inc.  
Ronald E. Hill v. Merck & Co., Inc.  
Donald E. Tremblay v. Merck & Co., Inc.  
Peter F. Bruers v. Merck & Co., Inc.  
Marc A. Patnode v. Merck & Co., Inc.  
Hugh W. Bernhardt v. Merck & Co., Inc.  
Ronald Skube v. Merck & Co., Inc.  
Peter Vondrak v. Merck & Co., Inc.  
Judith Kinney, et al. v. Merck & Co., Inc.MISSISSIPPI SOUTHERN  
MSS 1 06-593

Annie W. McDonald, etc. v. Merck &amp; Co., Inc.

NEBRASKA  
NE 4 06-3140

Margie H. Gibbs, et al. v. Merck &amp; Co., Inc.

NEW YORK EASTERN  
NYE 1 06-2919

Harvey Kleinstein, et al. v. Merck &amp; Co., Inc.

NEW YORK NORTHERN  
NYN 5 06-668  
NYN 6 06-666Yolanda C. Fero, etc. v. Merck & Co., Inc., et al.  
Paula Werner-Vecellio, et al. v. Merck & Co., Inc., et al.NEW YORK SOUTHERN  
NYS 1 06-4430

Margarita Segui v. Merck &amp; Co., Inc.

NEW YORK WESTERN  
NYW 6 06-6289

William L. Matthews, etc. v. Merck &amp; Co., Inc., et al.

OHIO NORTHERN  
OHN 1 06-1466

Sandra Burnett, et al. v. Merck &amp; Co., Inc., et al.

OKLAHOMA WESTERN  
OKW 5 06-623

Marjorie Murphy, et al. v. Merck &amp; Co., Inc.

## SCHEDULE CTO-56 TAG-ALONG ACTIONS (MDL-1657)

PAGE 3 of 3

DIST. DIV. C.A. #CASE CAPTION

## PENNSYLVANIA EASTERN

PAE 2 06-2532	J. Mary Basanta v. Merck & Co., Inc.
PAE 2 06-2546	Joan M. Kelly, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2547	George Boyd, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2548	Martha Tanner, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2549	Jeffrey Klimmek, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2550	Jessie Powers v. Merck & Co., Inc., et al.
PAE 2 06-2551	Richard F. McLaughlin, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2552	John Dyminski, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2553	Caridad Castillo, et al. v. Merck & Co., Inc., et al.
PAE 2 06-2606	Donald Scheirer, et al. v. Merck & Co., Inc.
PAE 2 06-2622	Murray Bidner, et al. v. Merck & Co., Inc., et al.

## PENNSYLVANIA WESTERN

PAW 2 06-740	Carol Gault, et al. v. Merck & Co., Inc.
PAW 2 06-791	Sherrie A. MacKinney v. Merck & Co., Inc.
PAW 2 06-809	Thomas Conner v. Merck & Co., Inc.

## TEXAS EASTERN

TXE 5 06-120	Richard Glen Gunnels v. Merck & Co., Inc.
TXE 9 06-120	Sara Best, et al v. Merck & Co., Inc.

## TEXAS WESTERN

TXW 1 06-414	Marie D. Garnett, et al. v. Merck & Co., Inc.
TXW 3 06-196	Stuart Lee Neff v. Merck & Co., Inc.

## UTAH

UT 2 06-454	C. Gordon Linnett v. Merck & Co., Inc.
UT 2 06-493	Ellen Burlison, etc. v. Merck & Co., Inc.

## WASHINGTON WESTERN

WAW 2 06-841	Jeanette Stroschein, etc. v. Merck & Co., Inc.
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**INVOLVED JUDGES LIST (CTO-56)**  
**DOCKET NO. 1657**  
**IN RE VIOXX MARKETING, SALES PRACTICES AND PRODUCTS LIABILITY**  
**LITIGATION**

Hon. Henry Lee Adams, Jr.  
 U.S. District Judge  
 United States District Court  
 11-200 U.S. Courthouse  
 300 N. Hogan Street  
 Jacksonville, FL 32202-4204

Hon. Ann Aldrich  
 Senior U.S. District Judge  
 17B Carl B. Stokes U.S. Courthouse  
 801 W. Superior Avenue  
 Cleveland, OH 44113-1839

Hon. David Briones  
 U.S. District Judge  
 U.S. Courthouse  
 511 E. San Antonio Street  
 El Paso, TX 79901-2401

Hon. Susan C. Bucklew  
 U.S. District Judge  
 1430 Sam M. Gibbons U.S. Courthouse  
 801 North Florida Avenue  
 Tampa, FL 33602

Hon. Laurie Smith Camp  
 U.S. District Judge  
 3210 Roman L. Hruska U.S. Courthouse  
 111 South 18th Plaza  
 Omaha, NE 68102

Hon. Earl H. Carroll  
 Senior U.S. District Judge  
 U.S. Courthouse  
 401 West Washington St., SPC 48  
 Phoenix, AZ 85003

Hon. Paul G. Cassell  
 U.S. District Judge  
 112 Frank E. Moss U.S. Courthouse  
 350 South Main Street  
 Salt Lake City, UT 84101-2180

Hon. Ron Clark  
 U.S. District Judge  
 221 Jack Brooks Federal Building  
 & U.S. Courthouse  
 300 Willow Street  
 Tyler, TX 77701

Hon. Joy Flowers Conti  
 U.S. District Judge  
 5250 U.S. Post Office & Courthouse  
 700 Grant Street  
 Pittsburgh, PA 15219

Hon. L. Scott Coogler  
 U.S. District Judge  
 786 Hugo L. Black U.S. Courthouse  
 1729 Fifth Avenue North  
 Birmingham, AL 35203-2000

Hon. Clarence Cooper  
 U.S. District Judge  
 1701 Richard B. Russell Fed. Bldg.  
 & U.S. Courthouse  
 75 Spring Street, S.W.  
 Atlanta, GA 30303-3361

Hon. Timothy J. Corrigan  
 U.S. District Judge  
 11-100 United States Courthouse  
 300 N. Hogan Street  
 Jacksonville, FL 32202

Hon. Frank C. Damrell, Jr.  
 U.S. District Judge  
 15-200 U.S. Courthouse  
 501 I Street  
 Sacramento, CA 95814-2322

Hon. George B. Daniels  
 U.S. District Judge  
 410 Thurgood Marshall  
 U.S. Courthouse  
 40 Centre Street  
 New York, NY 10007

Hon. Andre M. Davis  
 U.S. District Judge  
 5B Edward A. Garmatz Federal  
 Building & U.S. Courthouse  
 101 West Lombard Street  
 Baltimore, MD 21201-2615

Hon. David S. Doty  
 Senior U.S. District Judge  
 14W U.S. Courthouse  
 300 South Fourth Street  
 Minneapolis, MN 55415

Hon. Joan N. Ericksen  
 U.S. District Judge  
 12W U.S. Courthouse  
 300 South 4th Street  
 Minneapolis, MN 55415

Hon. David Folsom  
 U.S. District Judge  
 309 U.S. Courthouse & Post Office  
 500 N. State Line Avenue  
 Texarkana, TX 71854-5957

Hon. James L. Foreman  
 Senior U.S. District Judge  
 740 U.S. Courthouse  
 301 West Main Street  
 Benton, IL 62812

Hon. Donovan W. Frank  
 U.S. District Judge  
 738 Warren E. Burger Federal Bldg.  
 316 North Robert Street  
 St. Paul, MN 55101

Hon. John P. Fullam  
 Senior U.S. District Judge  
 15614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1780

Hon. J. Phil Gilbert  
 U.S. District Judge  
 U.S. Courthouse  
 301 West Main Street  
 Benton, IL 62812-1362

Hon. James T. Giles  
 U.S. District Judge  
 17614 James A. Byrne U.S. Courthouse  
 601 Market Street  
 Philadelphia, PA 19106-1797

Hon. Alan S. Gold  
 U.S. District Judge  
 1017 Federal Courthouse Square  
 301 N. Miami Avenue  
 Miami, FL 33128

## INVOLVED JUDGES LIST (CTO-56) MDL-1657

PAGE 2 of 3

Hon. Louis Guirola, Jr.  
U.S. District Judge  
United States District Court  
814 Dan M. Russell, Jr.  
U.S. Courthouse  
2012 15th Street  
Gulfport, MS 39501

Hon. David F. Hamilton  
U.S. District Judge  
330 Birch Bayh Federal Building  
& U.S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

Hon. S. Maurice Hicks, Jr.  
U.S. District Judge  
5226 United States Courthouse  
300 Fannin Street, Suite 5226  
Shreveport, LA 71101

Hon. Paul C. Huck  
U.S. District Judge  
1067 James Lawrence King Federal  
Justice Bldg.  
99 Northeast Fourth Street  
Miami, FL 33132

Hon. David N. Hurd  
U.S. District Judge  
Alexander Pirnie Federal Building  
10 Broad Street  
Utica, NY 13501

Hon. Sterling Johnson, Jr.  
Senior U.S. District Judge  
720 S United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201

Hon. Lawrence K. Karlton  
Senior U.S. District Judge  
15-200 U.S. Courthouse  
501 I Street  
Sacramento, CA 95814

Hon. Bruce W. Kauffman  
U.S. District Judge  
5613 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1776

Hon. Robert F. Kelly  
Senior U.S. District Judge  
11613 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1765

Hon. Richard H. Kyle  
Senior U.S. District Judge  
760 Warren E. Burger Federal Bldg.  
316 N. Robert Street  
St. Paul, MN 55101

Hon. David G. Larimer  
U.S. District Judge  
250 Kenneth B. Keating Federal  
Building  
100 State Street  
Rochester, NY 14614-1324

Hon. Edward J. Lodge  
U.S. District Judge  
James A. McClure Federal  
Building & U.S. Courthouse  
550 West Fort Street  
Boise, ID 83724-0101

Hon. John W. Lungstrum  
Chief Judge, U.S. District Court  
517 Robert J. Dole U.S. Courthouse  
500 State Avenue  
Kansas City, KS 66101-2400

Hon. Paul A. Magnuson  
Senior U.S. District Judge  
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Hon. Kenneth A. Marra  
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205E United States Courthouse  
299 East Broward Boulevard  
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Hon. Terrence F. McVerry  
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Hon. Norman A. Mordue  
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Hon. G. Patrick Murphy  
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Hon. Marsha J. Pechman  
U.S. District Judge  
14229 U.S. Courthouse  
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Hon. William D. Quarles, Jr.  
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Hon. James M. Rosenbaum  
Chief Judge, U.S. District Court  
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Hon. David Sam  
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U.S. District Judge  
7614 James A. Byrne U.S. Courthouse  
601 Market Street  
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Hon. Berle M. Schiller  
U.S. District Judge  
5614 U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

## INVOLVED JUDGES LIST (CTO-56) MDL-1657

Hon. Patrick J. Schiltz  
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Hon. Arthur J. Schwab  
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7280 United States Post Office & Courthouse  
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Senior U.S. District Judge  
10614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1774

Hon. R. Barclay Surrick  
U.S. District Judge  
8614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1796

Hon. Myron H. Thompson  
U.S. District Judge  
P.O. Box 235  
Montgomery, AL 36101-0235

Hon. John R. Tunheim  
U.S. District Judge  
13E U.S. Courthouse  
300 South Fourth Street  
Minneapolis, MN 55415

Hon. John F. Walter  
U.S. District Judge  
176 United States Courthouse  
312 North Spring Street  
Los Angeles, CA 90012-4701

Hon. James D. Whittemore  
U.S. District Judge  
223 Sam M. Gibbons U.S. Courthouse  
801 North Florida Avenue  
Tampa, FL 33602

Hon. Henry R. Wilhoit, Jr.  
Senior U.S. District Judge  
320 Federal Building  
1405 Greenup Avenue  
Ashland, KY 41101

Hon. B. Lynn Winmill  
Chief Judge, U.S. District Court  
James A. McClure Federal Building &  
U.S. Courthouse  
550 West Fort Street  
Boise, ID 83724

Hon. Lee Yeakel  
U.S. District Judge  
U.S. Courthouse  
200 W. 8th Street  
Suite 200  
Austin, TX 78701

Hon. William J. Zloch  
Chief Judge, U.S. District Court  
202B United States Courthouse  
299 East Broward Boulevard  
Fort Lauderdale, FL 33332